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PROJECT NO. 51812

**ISSUES RELATED TO THE STATE OF
DISASTER FOR THE FEBRUARY 2021
WINTER WEATHER EVENT**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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**SECOND ORDER TERMINATING EXCEPTIONS TO CERTAIN RULES
AND EXTENDING PAYMENT PLANS**

In an order dated February 21, 2021, the Commission found good cause to grant exceptions to certain rules of the Commission. In addition, the Commission continued its directive established in an order dated March 26, 2020 in Project 50664¹ that all retail electric providers offer a deferred payment plan to customers upon request. That directive was extended in an order issued on July 16, 2020 in that project and again in orders dated February 21, 2021 and March 5, 2021 in this project. Through this order, the Commission finds that good cause no longer exists and terminates the exceptions to those rules. In addition, the Commission establishes a termination date for its directive to offer deferred payment plans.

The Commission finds that the conditions that justified its finding of good cause and granting of exceptions no longer exist and therefore that good cause no longer exists. Accordingly, the Commission terminates the exemption previously granted as described below for the following rules:

- Electric Rules
 - 16 TAC § 25.214(d), and Sections 6.1.2.1, 6.1.3.1, and 6.1.4.1 of the Tariff for Retail Delivery Service, which relate to the tariff provisions regarding disconnections for nonpayment.
 - 16 TAC § 25.483(c), which relates to disconnection of a customer for nonpayment.
- Water and Sewer Rules
 - 16 TAC § 24.165(d), which authorizes a water utility to charge interest on a deferred payment plan.
 - 16 TAC § 24.165(i), which relates to requirements for estimated bills.

¹ *Issues Related to the State of Disaster for the Coronavirus Disease 2019*, Order Directing Certain Actions and Granting Exceptions to Certain Rules, Ordering Paragraph No. 1 (Mar. 26, 2020).

- 16 TAC § 24.167(a)(2)(A), which allows a retail public utility to disconnect water or sewer service for nonpayment.
- 16 TAC §24.167(a)(2)(F), which authorizes a utility to disconnect water service for non-payment of a solid waste charge.
- 16 TAC § 24.167(e), which requires a retail public utility to disconnect water service for nonpayment of sewer charges.

The exemption terminates for these rules on June 18, 2021. In addition, for those rules related to the disconnection of customers for non-payment, the exemption terminates only for those notices of disconnection sent out after June 18.

Furthermore, the Commission finds that conditions have changed and will continue to change such that that directive to offer deferred payment plan to all customers upon request will not be needed after this summer. To allow sufficient time to wind-down this strategy, the Commission determines that this directive should end on November 12, 2021, unless ordered otherwise before that date.

I. Ordering Paragraphs

Accordingly, until otherwise ordered, the Commission makes the following orders:

1. The exceptions granted for the rules identified in this Order are terminated only for disconnection notices sent out after June 18, 2021.
2. All retail electric providers must continue to offer a deferred payment plan to customers upon request until November 12, 2021, unless the Commission orders otherwise before that date.

Signed at Austin, Texas the 15th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



PETER M. LAKE, CHAIRMAN



WILL MCADAMS, COMMISSIONER